REMARKS

At the outset, the Applicant thanks the Examiner for the thorough review and consideration of the pending application. The Office Action dated May 10, 2007 has been received and its contents carefully reviewed.

Claims 1-6 are hereby amended. No new matter has been added. Accordingly, claims 1-9 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

The Applicant thanks the Examiner for indicating that dependent claim 5 includes allowable subject matter.

Initially, the Office Action alleges that the statement that "water temperature is sensed prior to a final draining step to control a dewatering speed." in paragraph [0011] is contrary to the rest of the disclosure and is considered a typographical error. *See page 3 of the Office Action.* The Applicant respectfully disagrees. The specification makes clear that the water temperature could be sensed either prior to a final draining step or during a final draining step. *See, for example, paragraph [0022], lines 1-6 on pages 5-6.* However, in an effort to clarify any of the Examiner's concerns, paragraph [0011] has been amended to clearly set forth that the "water temperature is sensed prior to or during a final draining step," as shown above. No new matter has been introduced in this amendment.

The Office Action rejected claims 1-4, 6, 7 and 9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,078,700 to *Billings et al.* (hereinafter "*Billings*"). The Applicant respectfully traverses this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, "the reference must teach every element of the claim." The Applicant respectfully submits that *Billings* does not teach every element recited in claims 1-4, 6, 7 and 9 and therefore cannot anticipate these claims. More specifically, claim 1 has been amended to recite a washing machine control method which includes "selecting a dewatering speed from a plurality of

predetermined speeds greater than zero, wherein the dewatering speed is selected based on the sensed water temperature and dewatering according to the selected dewatering speed." *Billings* fails to disclose at least this feature.

As correctly pointed out in the Office Action, *Billings* discloses that "the dewatering speed is controlled to be either zero... or the "normal" dewatering speed." *See page 3 of the Office Action.* Moreover, *Billings* discloses that "a spin operation ... always starts in a low 330 r.p.m. tub speed." *See column 6, lines 64-67.* In other words, even if, assuming *arguendo*, *Billings* makes any kind of speed selection, the selection must be between zero and 330 rpm. Therefore, *Billings* cannot possibly disclose "selecting a dewatering speed from a plurality of predetermined speeds greater than zero, wherein the dewatering speed is selected based on the sensed water temperature," as recited in claim 1.

For at least the aforementioned reasons, the Applicant respectfully submits that claim 1 is patentably distinguishable over *Billings*. Likewise, claims 2-4, 6, 7 and 9, which depend from claim 1 are also patentable for at least the same reasons. Accordingly, the Applicant respectfully requests that the 35 U.S.C. §102 (b) rejection of claims 1-4, 6, 7 and 9 over *Billings* be withdrawn.

The Office Action rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over *Billings*. The Applicant respectfully traverses this rejection.

As required in Chapter 2143.03 of the M.P.E.P., in order to "establish *prima facie* obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art." As previously discussed, *Billings* fails to teach or suggest each and every feature of claim 1, the independent claim from which claim 8 depends. Moreover, even if one skilled in the art were to contemplate modifying *Billings* as suggested, the modification would still fail to teach or suggest each and every feature recited in claim 1, namely "selecting a dewatering speed from a plurality of predetermined speeds greater than zero, wherein the dewatering speed is selected based on the sensed water temperature." Since neither *Billings*, nor the modification of *Billings*, as suggested, teach or suggest all of the features recited in claim 1, the independent claim from which claim 8 depends, *Billings* cannot be considered to render the invention obvious.

Therefore, the Applicant submits that claim 8 is patentably distinguishable and requests that the above 35 U.S.C. § 103(a) rejection over *Billings* be withdrawn.

The application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

By Michael R. Aragon (Reg. No. 46,522)
Mark R. Kresloff
Registration No.: 42,766
McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant